

FILED
FEB 14 2007
Joseph Haas
CLERK

UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH DAKOTA
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

CR 05-40053

Plaintiff,

-vs-

ORDER ON PRETRIAL MOTIONS

ROBERT J. MARKING,

Defendant.

A motion hearing was held before the Court on Tuesday, February 13, 2007. Defendant was present, represented by Brett Lovrien. Dennis Holmes appeared on behalf of the Government. After hearing argument by counsel, the Court issued rulings on all pending pretrial motions. Pursuant to the Court's oral rulings,

IT IS ORDERED:

1. That the Motion for Discovery (doc. 13) is denied as moot.
2. That the Motion for Order Requiring Defendant to Submit to Pretrial Psychiatric/Psychological Examination (doc. 16) is denied as moot.
3. That the Motion to Dismiss Count 1 (doc. 17) is denied.
4. That the Motion for Bill of Particulars (doc. 19) is granted in part and denied in part. On or before February 23, 2007, the Government shall provide Defendant with the names and addresses of coconspirators and the time frame in which the conspiracy is alleged to have begun and ended.
5. That the Motion to Dismiss Indictment (doc. 54) is denied.

Dated this 14th day of February, 2007.

BY THE COURT:

Lawrence L. Piersol
Lawrence L. Piersol
United States District Judge

ATTEST:

JOSEPH HAAS, CLERK

BY: *Shelly Margulies*
(SEAL) DEPUTY